IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 3803 of 1998

Between:

Banavath Mohan, son of B.Tulasi, aged abiout 26 years, Unemployee, resident of Sugali colony, Satenapalli, Guntur District.

PETITIONER

AND

1. The Senior Administrative Officer,/F&S Central Industrial Security Force, Head Quarters, New Delihi-3.

2. Commandant/Principal Presiding Officer of the Recruitment Board, CISFRTC, Arakkonam (TN) Suraksha Campus Post, Vellore District, Tamilnadu, Pin: 631 152.

RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate order or direction or a writ more particularly a writ in the nature of CERTIORARI to call for the records and to quash the order dated 24-1-1998 issued by the 2nd respondent vide his letter No. E-32024/RTC(A)TRG/Rect/HC/Dvr/98/411 by declaring the same is illegal, void and without jurisdiction and consequently to appoint the petitioner as Head Constable in the office of the 2nd respondent.

Counsel for the Petitioner : MR.G.DHARMA RAO

Counsel for the Respondents : MR.A.RAJASHEKAR REDDY (ASST

SOLICITOR GEN)

The Court made the following :

ORDER:

This writ petition is filed seeking to issue an appropriate order or direction or a writ more particularly a writ in the nature of CERTIORARI to call for the records and to quash the order dated 24-1-1998 issued by the 2nd respondent vide his letter No. E-32024/RTC(A)TRG/Rect/HC/Dvr/98/411 by declaring the same as illegal, void and without jurisdiction and consequently to appoint the petitioner as Head Constable.

It is the case of the petitioner that he passed 10th Class in 1992 and in pursuance of the notification issued by the 2nd respondent, he applied for the post of Head constable, he was called for written test and interview on 15-11-1997. The candidates required height was 167 centimeters. While so, the petitioner received impugned letter intimating that his case has been considered and rejected by the F.H. Quarters due to under height as the required height is 167 centimeters whereas the petitioner's height is 165 centimeters only. It is asserted by the petitioner that the relaxation of height would be considered in case of ST communities.

A detailed counter affidavit has been filed by the respondents denying the allegations made by the petitioner and stated that the candidates belongs to S. Ts. from certain communities are entitled for the relaxation in the height and the case of the petitioner was not considered since he does not fall into those categories.

The petitioner has not made out any ground to interfere by this Court into the impugned order passed by the respondents. Therefore, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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Justice C.V.RAMULU

21-07-2005

Dvs

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Copies to:

1. The Senior Administrative Officer,/F&S Central Industrial

Security Force, Head Quarters, New Delihi-3.

2. Commandant/Principal Presiding Officer of the Recruitment

   Board, CISFRTC, Arakkonam (TN) Suraksha Campus Post, Vellore District, Tamilnadu, Pin: 631 152.

3. Two CD copies.

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HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO : 3803 OF 1998

21st July, 2005